

REMARKS

1. Applicant thanks the Examiner for the Examiner's comments, which have greatly assisted Applicant in responding. Following are remarks pertaining to the Final
5 Rejection, dated 11/16/2004, followed by a reference to the Specification wherein support for the amendment to claims can be found.

2. **35 U.S.C. §102(e).** The Examiner rejected Claims 1-14 under 35 U.S.C. §102(e) as being anticipated by Fehskens et al (Fehskens) U.S. Patent No.
10 6,438,591.

Claims 1, 8

The Examiner stated that Fehskens teaches **determining a transaction time for**
15 **said transaction request** and cites (c 41, l 54-59).

Fehskens, c 41, l 54-59 appears as follows (emphasis added):

20 **The rule includes** an entity and attribute portion 212 and a time value portion 216. The rel-op value portion 213 relates values of one attribute to one value portion 214. **The time value portion 216 establishes** a time function, and may indicate the **times or time intervals at which the condition portion 210 is to be used by the alarm detector module 201.**

25 Nowhere does it teach, suggest, or contemplate **determining a transaction time.** Indeed, such discussion of Fehskens, as such, refers **only** to a time that **the rule** is to be used. For the Examiner to input content or meaning which is not present is improper.

30 Further, the Examiner stated that Fehskens teaches **wherein said rulebase is configured to comprise one or more versions of a rule** and cited (c 41, l 13-14).

Fehskens (c 41, l 11-14) appears as follows (emphasis added):

35 The maintenance of alarm conditions operation of the alarm functional module 11 is performed by **the rule maintenance module 202, which maintains, in an alarm rule base 203, rules which identify each of the alarm conditions.** Each

Fehskens teaches rules identifying each of the alarm conditions. In stark contrast, Applicant claims **one or more versions of a rule**. Nowhere does Fehskens teach, suggest, or contemplate wherein **said rulebase is configured to**
5 **comprise one or more versions of a rule**. For the Examiner to declare that a system having rules for a plurality of conditions is the same as a system having different versions of the same rules is improper.

Further, the Examiner stated that Fehskens teaches and wherein **if said one or**
10 **more effective rules changes before said transaction is complete, then a most recent set of effective rules is used by said rule server** and cited (c 41, l 39-53).

Fehskens (c 41, l 39-53) appears as follows (emphasis added):

15 The general form of an alarm rule, as generated by the rule maintenance module 202, is depicted in FIG. 10B. With reference to FIG. 10B, **an alarm rule includes a condition portion 210, which sets forth the set of condition(s) required for the indication of the alarm. The condition-portion includes an expression portion 212, a relational operator 213 and an expression value portion 214.**
20 The relational operator 213 relates the expression portion 212 to the expression value portion 214, so that **the condition portion 210 evaluates to either a logical TRUE or a logical FALSE**. It will be appreciated that, if the expression portion 212 itself evaluates to logical TRUE or logical FALSE, the relational operator 213 and expression value portion 214 of the condition portion 210 are
25 not needed. **In either case, if the condition portion evaluates to a logical TRUE, an alarm condition exists.**

Fehskens teaches the general form of an alarm rule, which rule includes a condition portion which evaluates either to a logical TRUE or a logical FALSE. In stark
30 contrast, Applicant claims wherein **if said one or more effective rules changes before said transaction is complete, then a most recent set of effective rules is used by said rule server**. Nowhere does Fehskens teach, suggest, or contemplate what to do if **said one or more effective rules changes before said transaction is complete, then a most recent set of effective rules is used by said rule server**.
35 Such feature of the claimed invention is important in view of the rulebase being configured to maintain multiple versions of **same rules**. For the Examiner to suggest that Fehskens teaches as such is improper.

The Examiner further added an EN, which appears as follows (emphasis added):

5 rules have expression portions which can evaluate to a logical false condition under typical conditions; **however, under other conditions, such expression** may evaluate to a logical true where an alarm condition exists **and a predefined or recent rule becomes active**).

10 Applicant respectfully disagrees. First, to state that the expression portion can evaluate to a logical false under some conditions and may evaluate to a logical true under other conditions is not the same as wherein **If said one or more effective rules changes before said transaction is complete, then a most recent set of effective rules is used by said rule server**. The Examiner described when the condition changes – not the rule.

15 The Examiner further stated that **and a predefined or recent rule becomes active**. Applicant does not understand the logical link between the first part of the EN and the end part, as such. Applicant respectfully requests that the Examiner further clarify the relevance of **and a predefined or recent rule becomes active**. Further, 20 regardless of understanding the link, Applicant respectfully requests if the Examiner is making an Office Notice, and, if so, to please support the Examiner's Official Notice with references. Finally, Applicant is of the opinion that the Examiner's adding the content, **and a predefined or recent rule becomes active**, which is not present in the prior art of reference, is improper.

25 Nevertheless, Applicant has amended Claims 1 and 8 to further clarify the invention. Support can be found in the Specification [0017], page 7, lines 7-12.

30 Therefore, in view of the above, Applicant is of the opinion that the prior art of record does not teach all limitations of Claims 1 and 8. Hence, Applicant is of the opinion that Claims 1 and 8 and the respective dependent claims are in condition for allowance. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §102(e).

35 3. Nevertheless, Applicant has amended the independent Claims 1 and 8 to further clarify the invention. Support can be found in the Specification as follows, specifically on page 9, [0022] and [0023].

4. It should be appreciated that Applicant has elected to amend the Claims solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such
- 5 amendment, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

CONCLUSION

5 Based on the foregoing, Applicant considers the present invention to be distinguished
from the art of record. Accordingly, Applicant earnestly solicits the Examiner's
withdrawal of the rejections raised in the above referenced Office Action, such that a
Notice of Allowance is forwarded to Applicant, and the present application is therefore
allowed to issue as a United States patent. The Examiner is invited to call to discuss
the response. The Commissioner is hereby authorized to charge any additional fees
10 due or credit any overpayment to Deposit Account No. 07-1445.

Respectfully submitted,



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